

REMARKS

In accordance with the foregoing, a clarified statement of parent benefit under 35 USC § 120 is presented.

No new matter is presented and, accordingly, approval and entry of the foregoing parent benefit amendment and cross-reference to related application are respectfully requested.

ITEM 2: ELECTION/RESTRICTION AND CONTINUED REQUEST FOR RECONSIDERATION

Applicants note that the Examiner has maintained the restriction requirement set forth in the Office Action of October 12, 2000 but modified same, presumably in accordance with the response filed November 20, 2000, transferring claims 83-89 from Group III to Group I and transferring claims 78 and 79 from Group I to Group III. Accordingly, the present Action addresses only the thus modified set of claims of Group I and withdraws from consideration the thus modified listings of claims of Groups II and III.

Applicants, again, request reconsideration. The principle distinction relied upon by the Examiner appears to be that:

- a) the Group I claims relate to "simulation manipulation..." -- i.e., a method;
- b) the claims of Group II relate a "computer readable medium..." -- which applicants' last response pointed out is somewhat of an inaccurate characterization since the medium stores a computer program "affording simulated manipulation..." and as to which the substance of the functions of the program correlate directly to the steps of the method claims; and
- c) the Group III claims are drawn "to an input device to manipulate an object...." -- which, while correct, appears not to recognize that the apparatus claim

recitations (as well as the controller recitations, e.g., see claim 57 versus claim 56) relate to functions corresponding to the method and program claim recitations.

Note, moreover, that "controller" claims 55 and 56 are included in claim 1 whereas "controller" claims 61, 68 and 74 are included in Group III.

It is submitted that the same field of search would be required, relevant to each of the three Groups I, II and III. Furthermore, respective sets of the claims in the references cited of record encompass those of same, different groups between which the current restriction requirement requires an election to be made. For example, the reference 5,596,346 - Leon et al. sets forth only method claims whereas the reference 5,867,158 - Murasaki et al. has both method and data processing claims, the reference 5,953,008 - Hagiuda has both "source file editing apparatus" claims and "method of source filing" claims and, finally, the reference 5,615,384 - Allard et al. has various versions of "personal communicator" claims. In other words, the art of record culled from the Examiner's search clearly encompasses a diversity of claim types and the references, both individually and collectively, have different claim types -- which applicants, as well, should be entitled to set forth, and have examined, in a single application.

PRIOR ART REJECTIONS

Items 4-6 reject various different groupings of claims for obviousness under 35 USC § 103(a) over respective, different prior art combinations, each including Hagiuda as a primary reference, items 4 and 6 respectively further combining Allard et al. and Murasaki et al., discussed above, with Hagiuda. [The Examiner is respectfully requested to identify the source of the Charwat citation in item 5.]

None of the above four U.S. patent references is effective prior art against the present application which has an effective U.S. filing date of September 29, 1992 which precedes the

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effective prior art dates of the references and which further has a yet earlier Japanese priority benefit date of October 7, 1991 based on JP 3-258232.

Subject to reconsideration of the restriction requirement, requested above, and there being no other objections or rejections, it is submitted that the application is in condition for allowance, which action is earnestly solicited.

If any further fees are required in connection with the filing of this Amendment, please charge same to our Deposit Account No. 19-3935.

Respectfully submitted,

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IN THE SPECIFICATION

Page 1, first full paragraph (as inserted in the Amendment of September 8, 1998),
please AMEND the paragraph as follows:

This is a divisional/continuation application of prior application Serial No. 08/437,563,
filed May 9, 1995 and now U.S. Patent No. 5,844,547 issued December 1, 1998, in turn a
continuation application of application Serial No. 953,101 filed September 29, 1992,
abandoned, and as to both of which this application claims [priority] parent benefit under 35
U.S.C. § 120.